

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al., )  
 )  
 Plaintiffs, )  
 )  
 v. ) Case No. 1:96cv01285(JR)  
 )  
 DIRK KEMPTHORNE, Secretary of the Interior, )  
 et al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

**NOTICE OF FILING OF AUGUST 2008 STATUS REPORT BY  
THE DEPARTMENT OF THE INTERIOR OFFICE OF TRUST RECORDS**

The Department of the Interior Office of Trust Records hereby submits its status report for activity in August 2008. A copy of the report is attached hereto.

Dated: September 15, 2008

Respectfully submitted,

GREGORY G. KATSAS  
Assistant Attorney General  
MICHAEL F. HERTZ  
Deputy Assistant Attorney General  
J. CHRISTOPHER KOHN  
Director

/s/ John R. Kresse  
ROBERT E. KIRSCHMAN, JR.  
Deputy Director  
(D.C. Bar No. 406635)  
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CERTIFICATE OF SERVICE

I hereby certify that, on September 15, 2008 the foregoing *Notice of Filing of August 2008 Status Report by the Department of the Interior Office of Trust Records* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)  
Blackfeet Tribe  
P.O. Box 850  
Browning, MT 59417  
Fax (406) 338-7530

/s/ Kevin P. Kingston  

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Kevin P. Kingston

**ACTIVITY REPORT**  
**OFFICE OF TRUST RECORDS**  
August 1 - 31, 2008

**PROGRAMMATIC:**

- Labat-Anderson (Labat Indexing Project)

Labat reported that indexing of 1,721 boxes of inactive Indian records was completed in August 2008. The total number of boxes completed through August 2008 is approximately 180,320.

- Movement of Records

The Bureau of Indian Affairs (BIA) and Office of the Special Trustee (OST) moved 1,191 boxes of inactive records from various field locations to Lenexa, Kansas, for indexing and subsequent storage at the American Indian Records Repository (AIRR) during this reporting period.

- Site Assessments Statement

During the month of August, OTRA performed three records management follow-up assessments at the following locations: Concho Agency BIA office, Concho Agency OST IIM field office, and Shawnee Agency BIA office. OTRA did not issue any reports during the month of August.

- Records Training

In August 2008, OTR provided records management training for 79 BIA/OST records contacts and 1 tribal employee. OTR provided training on vital records for 26 BIA/OST employees.

- Equipment

No fireproof filing equipment was delivered in August 2008.

- Discovery of Additional Document Damage and Need for Remediation

On July 23, 2008, an attorney from the Office of the Solicitor and a representative from the BIA, Navajo Regional Office, discovered documents which appeared to have sustained water damage in two outlying buildings close to the Chinle Agency. A report was filed with the United States Court of Federal Claims and was attached to the July Activity Report. OTR, BIA and OTR's contractor are working to develop procedures to send documents for cleaning and remediation.

- Litigation Support and Research Requests

OTR continued to provide significant support to the Office of the Solicitor, Office of Historical Trust Accounting and its contractors, the Department of Justice and its contractors, and tribal attorneys on behalf of various Tribes. AIRR staff provided responses to 161 research requests from BIA, OST and other requesters. With the filing of numerous tribal trust litigation cases, litigation-related information and document requests pertaining to records at the AIRR continue to increase. Many of these requests have very short deadlines.

**ADMINISTRATIVE:** General administrative activities continued.

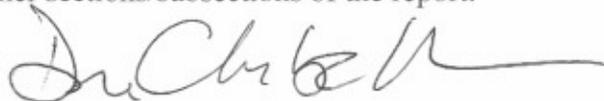
**GENERAL OBSERVATIONS:** None.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. I express no opinion on the content of the Site Assessments Statement described above.



Ethel J. Abeita

I declare under penalty of perjury that the content of the Site Assessments Statement described above is true and correct to the best of my knowledge, information and belief. I express no opinion on the contents of other sections/subsections of the report.



Don Chambellan  
Acting Director, Office of Trust Review and  
Audit